GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR & RD Department – Imposed a penalty of Removal from service besides recovery of Rs. 1,33,693/- against Sri D.Bala Sankara Rao, former Deputy Executive Engineer – Charged Officer filed OA No.6636/2012 – Andhra Pradesh Administrative Tribunal set aside the punishment orders – Orders of APAT implemented - Regularization of removal period as "Not on duty" as per the provisions of FR 54-(A)(1) & (2) – Orders – Issued.

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PANCHAYATI RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT
G.O.RT.No. 194 Dated: 19-02-2019
Read the following:

1. G.O.Rt.No.1406, PR&RD (Vig.II) Department, Dt.28.07.2012.
2. Hon'ble APAT Orders, Dt.21.07.2016 in OA No.6636/2012 filed by Sri D.Bala Sankara Rao, former Deputy Executive Engineer.
3. G.O.Rt.No.553, PR&RD (Vig.I) Department, Dt.11.08.2017.
4. From ENC, RWS&S, AP, Vijayawada, Letter No.Vig(4)/RWS&S/ 3997/2009, Dt.16.11.2017.

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ORDER:-

Government, in the reference 1st read above, imposed a penalty of Removal from service besides recovery of Rs.1,33,693/- against Sri D.Bala Sankara Rao, former Deputy Executive Engineer, in respect of allegations of Misappropriation of Government funds by certain Engineering Officials of ITDA, Seethampeta, Srikakulam District.

2. Aggrieved by the said punishment orders, Sri D.Bala Sankara Rao, former Deputy Executive Engineer, has filed OA No.6636/2012 before the Hon'ble Andhra Pradesh Administrative Tribunal with a prayer to set aside the said impugned order.

3. The Hon'ble Andhra Pradesh Administrative Tribunal in their final judgement, dt.21.07.2016 in OA No.6636/2012, ordered as follows:-

> "in view of the finding on the point, the OA is allowed while setting aside the impugned G.O.Rt.No.1406, PR&RD (Vig.II) Department, Dt.28.07.2012 issued by the 1st respondent (Government of AP, PR&RD Department) inflicting the major penalty of removal from service against the applicant, but without costs.
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> The respondents are directed to reinstate the applicant as Deputy Executive Engineer within four weeks from the date of receipt of a copy of the order with all service benefits except the monetary benefit from 28.07.2012 till 21.07.2016, the date of this order".

4. After careful examination of the orders of Hon'ble Andhra Pradesh Administrative Tribunal, Dt.21.07.2016 in OA No.6636/2012, Government implemented the orders of Hon'ble Andhra Pradesh Administrative Tribunal, Dt.21.07.2016 in OA No.6636/2016 filed by Sri D.Bala Sankara Rao, former Deputy Executive Engineer, i.e., to set aside the orders imposing penalty of "removal from service" issued vide G.O.Rt.No.1406, PR&RD (Vig.II) Department, Dt.28.07.2012 and reinstated him, into service, with all service benefits, except the monetary benefit from 28.07.2012 till 21.07.2016, vide reference 3rd read above.

5. In the reference 4th read above, ENC, RWS&S, AP, Vijayawada, has forwarded the representation of Sri D.Bala Sankara Rao, the then DEE, Rural Water Supply & Sanitation, Kadapa.

6. Sri D.Bala Sankara Rao, DEE, in his representation, has submitted that ENC, RWS&S reinstated into service, vide Procgs No.Vig(4)/3977/2009, dt.07.09.2017 of ENC, RWS&S, Vijayawada. SE, RWS&S Circle, Kadapa posted him into service and allotted him to RWS&S circle, Kadapa. He took over the charge as DEE, RWS&S, Pulivendula on 12.09.2017. He has requested ENC, RWS&S, to regularize his services and pay fixation 2015 during the punishment period from 28.07.2012 to 11.09.2017.

7. After careful examination of the matter, Government have decided to treat the removal period from 28.07.2012 to 11.09.2017of Sri D.Bala Sankara Rao, DEE, RWS7S, Pulivendula, as “Not on Duty, as per the provisions under FR.54-(A)(1) & (2).

8. Accordingly, Government hereby order that the removal period from 28.07.2012 to 11.09.2017 of Sri D.Bala Sankara Rao, DEE, RWS&S, Pulivendula, shall be treated as “Not on Duty, as per the provisions under FR.54-(A) (1) & (2).

9. Engineer in Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Vijayawada shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

To
The Engineer in Chief, Rural Water Supply & Sanitation, Andhra Pradesh, Vijayawada along with Service Register of Sri D.Bala Sankara Rao, DEE, RWS&S.
Sri D.Bala Sankara Rao, former Deputy Executive Engineer, **through** Engineer-in-chief, RWS&S, Vijayawada.
SF/SCs.

//FORWARDED::BY::ORDER//

SECTION OFFICER